

UNITED STATES BANKRUPTCY APPELLATE PANEL
OF THE NINTH CIRCUIT

In re: YAW JONG TSAI,
Debtor.

YAW JONG TSAI,
Appellant
v.

NICHOLAS EDWARD REED AND
JULIE ANNE PALMER, Joint
Liquidators of the Estate of Changtel
Solutions UK Limited; NICHOLAS
EDWARD REED AND PAUL
BARBER, Joint Trustees of the
Bankruptcy Estate of Ji-Chuen Jason
Tsai; RYAN A. ANDERSEN, Chapter
7 Trustee,

Appellees

BAP No.: NV-21-1026

Bk. Ct. Appeal Reference#: 21-07
Bankr. No.: 2:20-bk-14585-NMC
Chapter 7

**APPELLEES' STATEMENT OF ELECTION TO HAVE APPEAL HEARD
BY DISTRICT COURT PURSUANT TO 28 U.S.C. § 158(c)(1)**

On February 11, 2021, Debtor, Yaw Song Tsai ("Debtor" or "Appellant") filed a *Notice of Appeal* [Dkt. 157] of the Order entered by the United States Bankruptcy Court for the District of Nevada entered on January 28, 2021 [Dkt. 159] granting the *Motion for Relief from the Automatic Stay to Proceed with Foreign Litigation Against Debtor* [Dkt. 67] filed by Nicholas Edward Reed together with Julie Anne Palmer, the

joint liquidators of the estate of Changtel Solutions UK Limited (“Changtel”), and Nicholas Edward Reed together with Paul Barber, the joint trustees of the bankruptcy estate of Ji-Chuen Jason Tsai (“Jason Tsai”) (collectively, the “English Office Holders”). The Notice of Appeal states that the Debtor elects to have the appeal heard by the Bankruptcy Appellate Panel. Pursuant to their rights under 28 U.S.C. § 158(c)(1) and Federal Rule of Bankruptcy Procedure (the “Bankruptcy Rules”) 8005(a), the English Office Holders hereby file this Statement of Election to Have the Appeal Heard by the District Court.

Accordingly, the English Office Holders as Appellees submit the information required by Official Bankruptcy Form 417A.

Part 1: Identity of Appellant

1. Name of appellant(s): Yaw Song Tsai.
2. Position of appellant(s) in the adversary case or bankruptcy case that is the subject of the appeal: Debtor.

Part 2: Identify the subject of the Appeal

1. Describe Judgment, Order, or Decree appealed from: Order Granting Motion for Relief from the Automatic Stay to Proceed with Foreign Litigation Against Debtor [Dkt. 159].
2. State the date on which the Judgment, order or Decree was entered: January 28, 2021.

Part 3: Identify the other parties to the Appeal

List the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary).

1. Party:	Yaw Jong Tsai	Attorney:	THE BARNABI LAW FIRM, PLLC CHARLES ("CJ") E. BARNABI JR., ESQ Nevada Bar No. 14477 375 East Warm Springs Road, Ste. 104 Las Vegas, Nevada 89119 Email: cj@barnabilaw.com Telephone: (702) 475-8903 Counsel for Debtor
2. Party:	Nicholas Edward Reed together with Julie Anne Palmer, the joint liquidators of the estate of Changtel Solutions UK Limited; and Nicholas Edward Reed together with Paul Barber, the joint trustees of the bankruptcy estate of Ji-Chuen Jason Tsai	Attorney:	CARLYON CICA CHTD. DAWN M. CICA, ESQ. Nevada Bar No. 4565 TRACY M. O'STEEN, ESQ. Nevada Bar No. 10949 265 E. Warm Springs Road, Suite 107 Las Vegas, NV 89119 Telephone: (702) 685-4444 Local Nevada Counsel for English Office Holders SEQUOR LAW, P.A. LEYZA F. BLANCO Florida Bar No. 104639 AMANDA E. FINLEY Florida Bar No. 100225 1111 Brickell Avenue, Suite 1250 Miami, Florida 33131 Telephone: 305-372-8282 Facsimile: 305-372-8202 Lead Counsel for English Office Holders
3. Party	Ryan A. Anderson, Chapter 7 Trustee	Attorney:	ATKINSON LAW ASSOCIATES LTD ROBERT E. ATKINSON, ESQ. Nevada Bar No. 9958 CLARISSE L. CRISOSTOMO, ESQ., Nevada Bar No. 15526 376 E Warm Springs Rd Suite 130 Las Vegas, NV 89119 Telephone: (702) 614-0600 Attorney for Ryan A. Andersen, Trustee

Part 4: Optional election to have appeal heard by District Court

Pursuant to 28 U.S.C. § 158(c)(1), Appellees elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

DATED this 9th day of March 2021.

CARLYON CICA CHTD.

/s/ *Tracy M. O'Steen, Esq.*

DAWN M. CICA, ESQ.
Nevada Bar No. 4565
TRACY M. O'STEEN, ESQ.
Nevada Bar No. 10949
265 E. Warm Springs Road, Suite 107
Las Vegas, NV 89119
*Local Nevada Counsel for English
Office Holders/Appellees*

&

SEQUOR LAW, P.A.
LEYZA F. BLANCO, ESQ.
Florida Bar No. 104639
AMANDA E. FINLEY
Florida Bar No. 100225
1111 Brickell Avenue, Suite 1250
Miami, Florida 33131
Lead Counsel for English Office
Holders/Appellees

Certificate of Service

I hereby certify that on March 9th 2021 I electronically filed the foregoing document **APPELLEES' STATEMENT OF ELECTION TO HAVE APPEAL HEARD BY DISTRICT COURT PURSUANT TO 28 U.S.C. § 158(c)(1)** with the Clerk of the Court for the Bankruptcy Appellate Panel for the Ninth Circuit by using the CM/ECF system.

I further certify that parties of record to this appeal who either are registered CM/ECF users, or who have registered for electronic notice, or who have consented in writing to electronic service, will be served through the CM/ECF system.

I further certify that some of the parties of record to this appeal have not consented to electronic service. I have mailed the foregoing document by First-Class Mail, postage prepaid, or have dispatched it to a third-party commercial carrier for delivery within 3 calendar days, to the following parties:

SEQUOR LAW, P.A.
LEYZA F. BLANCO
AMANDA E. FINLEY
1111 Brickell Avenue, Suite 1250
Miami, Florida 33131

THE BARNABI LAW FIRM, PLLC
CHARLES ("CJ") E. BARNABI JR., ESQ.
Nevada Bar No. 14477
375 East Warm Springs Road, Ste. 104
Las Vegas, Nevada 89119

By: /s/ Cristina Robertson
An Employee of Carlyon, Cica, CHTD

1 **CARLYON CICA CHTD.**
2 DAWN M. CICA, ESQ.
3 Nevada Bar No. 4565
4 TRACY M. O'STEEN, ESQ.
5 Nevada Bar No. 10949
6 265 E. Warm Springs Road, Suite 107
7 Las Vegas, NV 89119
8 Telephone: (702) 685-4444
9 Facsimile: (725) 220-4360
10 *Local Nevada Counsel for English Office
11 Holders*

12 **SEQUOR LAW, P.A.**
13 LEYZA F. BLANCO
14 Florida Bar No. 104639
15 AMANDA E. FINLEY
16 Florida Bar No. 100225
17 1111 Brickell Avenue, Suite 1250
18 Miami, Florida 33131
19 Telephone: 305-372-8282
20 Facsimile: 305-372-8202
21 *Lead Counsel for English Office Holders*

22 **UNITED STATES BANKRUPTCY COURT**
23 **DISTRICT OF NEVADA**

24 In re:
25 YAW JONG TSAI,
26 Debtor.

27 Case No.: 20-14585-NMC
28 Chapter 7

29 **APPELLEES' STATEMENT OF ELECTION
30 TO HAVE APPEAL HEARD BY DISTRICT
31 COURT PURSUANT TO 28 U.S.C. § 158(c)(1)**

32 Hearing Date: N/A
33 Hearing Time: N/A

34 On February 11, 2021, Debtor, Yaw Song Tsai ("Debtor" or "Appellant") filed a *Notice of*
35 *Appeal* [Dkt. 157] of the Court's Order entered on January 28, 2021 [Dkt. 159] granting the *Motion*
36 *for Relief from the Automatic Stay to Proceed with Foreign Litigation Against Debtor* [Dkt. 67] filed
37 by Nicholas Edward Reed together with Julie Anne Palmer, the joint liquidators of the estate of
38 Changtel Solutions UK Limited ("Changtel"), and Nicholas Edward Reed together with Paul Barber,
39 the joint trustees of the bankruptcy estate of Ji-Chuen Jason Tsai ("Jason Tsai") (collectively, the
40 "English Office Holders"). The Notice of Appeal states that the Debtor elects to have the appeal
41 heard by the Bankruptcy Appellate Panel. Pursuant to their rights under 28 U.S.C. § 158(c)(1) and
42 Federal Rule of Bankruptcy Procedure (the "Bankruptcy Rules") 8005(a), the English Office
43 Holders hereby file this Statement of Election to Have the Appeal Heard by the District Court.

44 CARLYON CICA CHTD.
45 265 E. Warm Springs Road, Suite 107
46 Las Vegas, NV 89119

47 Bp Docket #3

1 Accordingly, the English Office Holders as Appellees submit the information required by
 2 Official Bankruptcy Form 417A.

3 **Part 1: Identity of Appellant**

- 4 1. Name of appellant(s): Yaw Song Tsai.
 5 2. Position of appellant(s) in the adversary case or bankruptcy case that is the subject of the appeal:
 6 Debtor.

7 **Part 2: Identify the subject of the Appeal**

- 8 1. Describe Judgment, Order, or Decree appealed from: Order Granting Motion for Relief from
 9 the Automatic Stay to Proceed with Foreign Litigation Against Debtor [Dkt. 159].
 10 2. State the date on which the Judgment, order or Decree was entered: January 28, 2021.

11 **Part 3: Identify the other parties to the Appeal**

12 List the names of all parties to the judgment, order, or decree appealed from and the names,
 13 addresses, and telephone numbers of their attorneys (attach additional pages if necessary).

14	1. Party:	Yaw Jong Tsai	Attorney:	THE BARNABI LAW FIRM, PLLC CHARLES ("CJ") E. BARNABI JR., ESQ. Nevada Bar No. 14477 375 East Warm Springs Road, Ste. 104 Las Vegas, Nevada 89119 Email: cj@barnabilaw.com Telephone: (702) 475-8903 Counsel for Debtor
15	2. Party:	Nicholas Edward Reed together with Julie Anne Palmer, the joint liquidators of the estate of Changtel Solutions UK Limited; and Nicholas Edward Reed together with Paul Barber, the joint trustees of the bankruptcy estate of Ji-Chuen Jason Tsai	Attorney:	CARLYON CICA CHTD. DAWN M. CICA, ESQ. Nevada Bar No. 4565 TRACY M. O'STEEN, ESQ. Nevada Bar No. 10949 265 E. Warm Springs Road, Suite 107 Las Vegas, NV 89119 Telephone: (702) 685-4444 Local Nevada Counsel for English Office Holders
16				SEQUOR LAW, P.A. LEYZA F. BLANCO Florida Bar No. 104639 AMANDA E. FINLEY Florida Bar No. 100225 1111 Brickell Avenue, Suite 1250 Miami, Florida 33131 Telephone: 305-372-8282 Facsimile: 305-372-8202 Lead Counsel for English Office Holders
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1	3. Party	Ryan A. Anderson, Chapter 7 Trustee	ATKINSON LAW ASSOCIATES LTD ROBERT E. ATKINSON, ESQ. Nevada Bar No. 9958 CLARISSE L. CRISOSTOMO, ESQ., Nevada Bar No. 15526 376 E Warm Springs Rd Suite 130 Las Vegas, NV 89119 Telephone: (702) 614-0600 Attorney for Ryan A. Andersen, Trustee
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6 **Part 4: Optional election to have appeal heard by District Court**

7 Pursuant to 28 U.S.C. § 158(c)(1), Appellees elect to have the appeal heard by the United
8 States District Court rather than by the Bankruptcy Appellate Panel.

9 DATED this 8th day of March 2021.

10 **CARLYON CICA CHTD.**

11 /s/ *Tracy M. O'Steen, Esq.*

12

13 DAWN M. CICA, ESQ.
14 Nevada Bar No. 4565
15 TRACY M. O'STEEN, ESQ.
16 Nevada Bar No. 10949
17 265 E. Warm Springs Road, Suite 107
18 Las Vegas, NV 89119
19 Local Nevada Counsel for English Office
20 Holders/Appellees

21 &

22 **SEQUOR LAW, P.A.**
23 LEYZA F. BLANCO, ESQ.
24 Florida Bar No. 104639
25 AMANDA E. FINLEY
26 Florida Bar No. 100225
27 1111 Brickell Avenue, Suite 1250
28 Miami, Florida 33131
Lead Counsel for English Office
Holders/Appellees

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 8, 2021, I electronically filed the foregoing
APPELLEES' STATEMENT OF ELECTION TO HAVE APPEAL HEARD BY DISTRICT
COURT PURSUANT TO 28 U.S.C. § 158(c)(1) with the Clerk of the Court for the United States
Bankruptcy Court District of Nevada using the CM/ECF system.

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 8th day of March 2021

By: /s/ Cristina Robertson
An Employee of Carlyon, Cica, CHTD

U.S. Bankruptcy Appellate Panel
of the Ninth Circuit

125 South Grand Avenue, Pasadena, California 91105
(626) 229-7220

To: Clerk, Bankruptcy Court - Las Vegas, NV

Debtor(s): YAW JONG TSAI

BAP No.: **NV-21-1026**
Bk. Ct. No.: 2:20-bk-14585-NMC

Re: Notice of Appeal Filed on 02/11/2021
Bk.Ct. Appeal Reference#: 21-07

The Bankruptcy Appellate Panel has received and docketed the notice of appeal referenced in the attached transmittal. The BAP case number is indicated above for your information.

If completion of the record has been delayed, please advise us as to the cause of the delay by completing the following checklist and sending a copy of this letter back to us:

IF THE RECORD ON APPEAL IS COMPLETE, PLEASE SEND THE CERTIFICATE OF READINESS

Susan M Spraul, BAP Clerk

By: Vincent Barbato, Deputy Clerk

Date: February 18, 2021

**A) REASONS WHY THE RECORD HAS NOT BEEN COMPLETED.
THE FOLLOWING ITEMS HAVE NOT BEEN FILED:**

- [PAID] No Filing Fees paid [PAID: 2/11/21; RECEIPT#: 20010686]
 No Designation of Record
 No Statement of Issues
 No Notice Regarding the Transcript
 No Reporter's Transcript(s)

Reporter name: _____

phone: _____

Judge: _____

Transcript date(s): _____

- No Transcript Fees paid
 Extension of Time Granted to Reporter:
 New deadline: _____
 Other: _____

B) DEPUTY CLERK PROCESSING THIS APPEAL

1. Name: _____
2. Phone: _____
3. Date: _____

BAPocket# 2-3

**U.S. Bankruptcy Appellate Panel
of the Ninth Circuit**

125 South Grand Avenue, Pasadena, California 91105
(626) 229-7220

RE: YAW JONG TSAI

Appellant: Yaw Jong Tsai

BAP No.: NV-21-1026

Bk.Ct. Appeal Reference#: 21-07

Bk. No.: 2:20-bk-14585-NMC

Re: Notice of Appeal Filed on 02/11/2021

OPENING LETTER

Notice of Appeal in this case has been received by the Bankruptcy Appellate Panel (BAP) and assigned the case number above.

Electronic filing using the BAP's Case Management/Electronic Case Filing (CM/ECF) docketing system is **mandatory** for all attorneys. Please review the Administrative Order Regarding Electronic Filing in BAP Cases available on the BAP website www.bap9.uscourts.gov for further information.

For non-attorneys, all papers filed with the BAP should be in the form of an original and three copies.

The BAP docket and other court information is available through the National PACER system.
<http://www.bap9.uscourts.gov>

Enclosed are the 9th Cir. BAP Rules governing practice before the BAP. Appeals are also governed by Parts VIII and IX of the Federal Rules of Bankruptcy Procedure (F.R.B.P.), and some parts of the Federal Rules of Appellate Procedure (F.R.A.P.) See 9th Cir. BAP Rule 8026-1.

Pursuant to 9th Cir. Rule 8003-1, please immediately send the BAP Clerk a copy of the signed and entered order or judgment being appealed if it was not attached to your notice of appeal.

After a Notice of Appeal has been filed, the parties' next step in prosecuting this appeal is compliance with F.R.B.P 8009, which require Appellant to file within 14 days in the bankruptcy court a designation of the record, statement of issues on appeal, and a notice regarding the ordering of transcripts. Under these rules Appellee may also file a supplemental designation of the record and order transcripts. The party ordering the transcripts must make satisfactory arrangements for payment of their costs.

Even if transcripts are not ordered, Appellant is required to file with the bankruptcy court a notice stating that none are required. See also 9th Cir. BAP R. 8009-1.

The parties should note that the designation of the record under F.R.B.P. 8009 is a necessary procedural step in prosecuting an appeal and the parties may not later include in their excerpts of the record documents which have not been designated.

BAP DOCKET # 2-2

The record and bankruptcy file remain with the Clerk of the bankruptcy court and the Panel reviews only those items which are reproduced and included in the excerpts of the record filed at the time of the briefs. While the Panel may call up the formal record, in practice this rarely occurs.

Further, it is the parties' responsibility to monitor the appeal to ensure that transcripts are timely filed and the record is completed in a timely manner. Under F.R.B.P. 8010(a)(2)(C), the court reporter is required to file transcripts within 30 days of receipt of the parties' request, unless an extension has been granted.

After the record is complete, the Clerk of the bankruptcy court will send a Certificate of Record, sometimes referred to as a Certificate of Readiness or Certificate of Transcripts, to the BAP Clerk.

Appeals are set for hearing in the bankruptcy district from which the appeal arose whenever feasible. To expedite the appeal or if the parties feel argument is unnecessary, they may file a stipulation or motion to submit their appeal on the briefs and record, thereby waiving oral argument. The Panel will also consider stipulations requesting an alternative hearing location or hearing by telephone conference. Such motions should be filed at the earliest possible scheduled date, generally with the opening brief, as once a case has been scheduled for argument, continuance and request of change time and place are rarely granted.

CERTIFICATE OF MAILING

The undersigned, deputy clerk of the U.S. Bankruptcy Appellate Panel of the Ninth Circuit, hereby certifies that a copy of the document on which this certificate appears was transmitted this date to all parties of record to this appeal.

By: Vincent Barbato, Deputy Clerk

Date: February 18, 2021

FILED

OF THE NINTH CIRCUIT

FEB 18 2021

In re: YAW JONG TSAI

Debtor

SUSAN M. SPRAUL, CLERK
U.S. BKCY. APP. PANEL
OF THE NINTH CIRCUIT

YAW JONG TSAI

Appellant

BAP No.: NV-21-1026

v.

Bk.Ct. Appeal Reference#: 21-07
Bankr. No.: 2:20-bk-14585-NMC
Chapter 7

NICHOLAS EDWARD REED AND JULIE
ANNE PALMER, Joint Liquidators of the
Estate of Changtel Solutions UK Limited;
NICHOLAS EDWARD REED AND PAUL
BARBER, Joint Trustees of the Bankruptcy
Estate of Ji-Chuen Jason Tsai; RYAN A.
ANDERSEN, Chapter 7 Trustee

February 18, 2021

Appellees

BRIEFING ORDER
(Prompt Action Required)

Unless otherwise ordered by this court, the parties to this appeal shall timely complete all of the briefing deadlines set forth below. Failure of the parties to comply with these deadlines may result in dismissal of this appeal or in the imposition of other sanctions. These deadlines control and supersede any briefing deadlines set forth in the Federal Rules of Bankruptcy Procedure ("FRBP").

Last day for appellant(s) to file opening brief and appendix: **DUE DATE: MONDAY, APRIL 5, 2021.**

Last day for appellee(s) to file responsive brief and appendix: Twenty-one days after service of appellant's opening brief.

Last day for appellant(s) to file optional reply brief: Fourteen days after service of appellee's reply brief.

Requirements for filing a brief, an appendix (excerpts of the record), and required certificates are set forth in FRBP 8014, 8015 and 8018, and Ninth Circuit BAP Rules 8018(a)-1, 8018(b)-1, and 8015(a)-1. See also 9th Cir. BAP Rule 8009-1 (describing requirements for the inclusion of transcripts in the excerpts of the record).

Briefs in this case shall not exceed the following page limits:

Appellant(s)' opening brief shall not exceed 30 pages.

Appellee(s)' opening brief shall not exceed 30 pages.

Appellant(s)' optional reply brief shall not exceed 15 pages.

BAPDOCKET # 2-1

MIGHT SEVERELY HAMPER THE PANEL'S REVIEW OF THE ISSUES ON APPEAL. An electronic appendix must comply with Rule 3 of the Order Regarding Electronic Filing in BAP Cases available on the BAP website www.bap9.uscourts.gov.

CERTIFICATES -- Both appellant's and appellee's opening brief must contain a Certificate of Interested Parties. Appellants brief must also contain a Certificate of Related Cases.

CALCULATION OF TIME -- Paper briefs are deemed filed on the day of mailing. FRBP 8011(a)(2). Electronic briefs are deemed filed when the filing is successfully completed. See Rule 7 of the Administrative Order Regarding Electronic Filing in BAP Cases.

ADVANCE CONSIDERATION OF ISSUES CONCERNING ORAL ARGUMENT

While the parties are briefing, the BAP is considering where and when to set oral argument. Because the BAP seeks to set argument as soon as practical after briefing is completed, any stipulations, motions or notices concerning oral argument should be filed at the earliest possible time, generally with a party's first brief. While appeals typically are set for hearing in the bankruptcy district from which the appeal arose whenever feasible, the parties may file a stipulation or motion requesting an alternative hearing location or a hearing by telephone or video conference. The parties also may file a stipulation or motion to submit their appeal on the briefs and record, thereby waiving oral argument.

All parties should carefully review the dates on the BAP's annual hearing calendar located on the BAP's website: <http://www.bap9.uscourts.gov>. This calendar contains dates that the BAP judges have set aside for argument, and it is likely that your appeal will be set for hearing on one of these dates. If a party knows or suspects that he or she will be unavailable on one of these dates, he or she should file as soon as possible a notice of unavailability, stating the dates on which he or she is unavailable. Once a case has been scheduled for argument, continuances and requests to change time or place are rarely granted.

CERTIFICATE OF MAILING

The undersigned, deputy Clerk of the U.S. Bankruptcy Appellate Panel of the Ninth Circuit, hereby certifies that a copy of the document to which this certificate is attached was transmitted this date to all parties of record to this appeal, to the United States Trustee and to the Clerk of the Bankruptcy Court.

By: Vincent Barbato, Deputy Clerk
Date: February 18, 2021

1 **THE BARNABI LAW FIRM, PLLC**
2 CHARLES ("CJ") E. BARNABI JR., ESQ.
3 Nevada Bar No. 14477
4 375 East Warm Springs Road, Ste. 104
5 Las Vegas, Nevada 89119
6 Email: cj@barnabilaw.com
7 Telephone: (702) 475-8903
8 Facsimile: (702) 966-3718

9 *Attorneys for Debtor*

10 **UNITED STATES BANKRUPTCY COURT**
11 **DISTRICT OF NEVADA**

12 In re:

13 YAW JONG TSAI,

14 Debtor.

15 Case No.: 20-14585-NMC
16 Chapter 7

17 **NOTICE OF APPEAL**

18 Debtor, Yaw Jong Tsai, by and through his counsel, hereby files this Notice of Appeal
19 from the Order entered on January 28, 2021 granting Nicholas Edward Reed together with Julie
20 Anne Palmer, the joint liquidators of the estate of Changtel Solutions UK Limited, and Nicholas
21 Edward Reed together with Paul Barber, the joint trustees of the bankruptcy estate of Ji-Chuen
22 Jason Tsai (collectively, the "English Office Holders") Motion for Relief from the Automatic
23 Stay to Proceed with Foreign Litigation Against Debtor (Docket Nos 132, 133). A copy of the
24 Order is attached hereto as Exhibit 1.

25 The names of all parties to the order appealed from and the names, addresses and
26 telephone numbers of their respective attorneys are as follows:
27 ///
28 ///

1 **CARLYON CICA CHTD.**
2 DAWN M. CICA, ESQ.
3 Nevada Bar No. 4565
4 TRACY M. O'STEEN, ESQ.
5 Nevada Bar No. 10949
6 265 E. Warm Springs Road, Suite 107
7 Las Vegas, NV 89119
8 Telephone: (702) 685-4444
9 Facsimile: (725) 220-4360
10 *Local Nevada Counsel for English Office
11 Holders*

12 **SEQUOR LAW, P.A.**
13 LEYZA F. BLANCO
14 Florida Bar No. 104639
15 AMANDA E. FINLEY
16 Florida Bar No. 100225
17 1111 Brickell Avenue, Suite 1250
18 Miami, Florida 33131
19 Telephone: 305-372-8282
20 Facsimile: 305-372-8202
21 *Counsel for English Office Holders*

22 **ATKINSON LAW ASSOCIATES LTD**
23 ROBERT E. ATKINSON, ESQ.
24 Nevada Bar No. 9958
25 CLARISSE L. CRISOSTOMO, ESQ.,
26 Nevada Bar No. 15526
27 376 E Warm Springs Rd Suite 130
28 Las Vegas, NV 89119
29 Telephone: (702) 614-0600
30 *Attorney for Ryan A. Andersen, Trustee*

31 Debtor elects to have this matter heard by the Bankruptcy Appellate Panel.

32 Copies of this notice have been distributed through the Court electronic case filing
33 system and through United States Postal Service as indicated in the certificate of service below.

34 Dated this 11th day of February 2021.

35 THE BARNABI LAW FIRM, PLLC

36 By: /s/ CJ Barnabi
37 Charles E. ("CJ") Barnabi Jr., Esq.
38 Nevada Bar No.: 14477
39 375 East Warm Springs Road, Ste. 104
40 Las Vegas, Nevada 89119
41 *Attorneys for Debtor*

CERTIFICATE OF SERVICE

On this 11th day of February 2021, I served the foregoing document by the following means to the persons listed below:

- a. ECF System

RYAN A. ANDERSEN

RYAN@NEVADATRUSTEE.COM,tatiana@nevadatrustee.com;
ecf.alert+andersen@titlexi.com

ROBERT E. ATKINSON on behalf of Trustee RYAN A. ANDERSEN robert@nv-lawfirm.com,
bknotices@nv-lawfirm.com

CHARLES ("CJ") E BARNABI, JR. on behalf of Debtor YAW JONG TSAI
cj@barnabilaw.com, marie@flangasbarnabi.com

DAWN M. CICA on behalf of Creditor ENGLISH OFFICE HOLDERS
dcica@carlyoncica.com, nrodriguez@carlyoncica.com; crobertson@carlyoncica.com;
dmcica@gmail.com; dcica@carlyoncica.com; tosteen@carlyoncica.com;
3342887420@filings.docketbird.com

DAWN M. CICA on behalf of Creditor JULIE ANNE PALMER
dcica@carlyoncica.com, nrodriguez@carlyoncica.com; crobertson@carlyoncica.com;
dmcica@gmail.com; dcica@carlyoncica.com; tosteen@carlyoncica.com; 3342887420@filings.docketbird.com

DAWN M. CICA on behalf of Interested Party NICHOLAS EDWARD REED
dcica@carlyoncica.com, nrodriguez@carlyoncica.com; crobertson@carlyoncica.com;
dmcica@gmail.com; dcica@carlyoncica.com; tosteen@carlyoncica.com; 3342887420@filings.docketbird.com

DAWN M. CICA on behalf of Interested Party PAUL BARBER
dcica@carlyoncica.com, nrodriguez@carlyoncica.com; crobertson@carlyoncica.com;
dmcica@gmail.com; dcica@carlyoncica.com; tosteen@carlyoncica.com; 3342887420@filings.docketbird.com

111

11

1 CLARISSE CRISOSTOMO on behalf of Trustee RYAN A. ANDERSEN
2 clarisse@nv-lawfirm.com, bknotices@nv-lawfirm.com

3 JAMES W. KWON on behalf of Interested Party LIN LAW GROUP
4 jkwon@jwklawfirm.com, scumberbatch@jwklawfirm.com; cgorzalski@jwklawfirm.com;
crivera@jwklawfirm.com

5 U.S. TRUSTEE - LV - 7 USTPRegion17.LV.ECF@usdoj.gov

6 a. United States Postal Service, first class postage pre-paid

7 See attached mailing matrix, Exhibit 2.

8 **I declare under penalty of perjury that the foregoing is true and correct.**

9 DATED: February 11, 2021.

10 /s/ Monaca Elder
11 An employee of The Barnabi Law Firm, PLLC

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THE BARNABI LAW FIRM, PLLC
375 E. Warm Springs Road, Ste. 104
Las Vegas, Nevada 89119
(702) 475-8903 FAX: (702) 966-3718

EXHIBIT 1

Natalie M. Cox

Honorable Natalie M. Cox
United States Bankruptcy Judge



Entered on Docket
January 28, 2021

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

* * * * *

In re:) Case No.: 20-14585-nmc
YAW JONG TSAI,) Chapter 7
Debtor.)
) Hearing Dates (Times):
) January 19, 2021 (1:30 p.m.) and
) January 21, 2021 (9:30 a.m.)
)

**ORDER GRANTING MOTION FOR RELIEF FROM THE AUTOMATIC STAY TO
PROCEED WITH FOREIGN LITIGATION AGAINST DEBTOR (ECF NO. 67)¹**

On January 19, 2021, the court held a hearing on the Motion for Relief from the Automatic Stay to Proceed with Foreign Litigation Against Debtor (ECF Nos. 67-68, 72) (“**Motion**”), filed by Nicholas Edward Reed together with Julie Anne Palmer, the joint liquidators of the estate of Changtel Solutions UK Limited, and Nicholas Edward Reed together with Paul Barber, the joint trustees of the bankruptcy estate of Ji-Chuen Jason Tsai (collectively, the “**English Office Holders**”).² Appearances of counsel were noted on the record.

The Court having considered the Motion, the opposition (ECF Nos. 86, 87, 113) filed by Yaw Jong Tsai (“**Debtor**”), and the reply filed by the English Office Holders (ECF Nos. 86-87, 113); and for the reasons stated in the court’s oral ruling, the findings of fact and conclusions of

¹ In this Order, all references to “ECF No.” are to the numbers assigned to the documents filed in the case as they appear on the docket maintained by the clerk of the court, unless otherwise noted.

² At the conclusion of the hearing, the court took the matter under submission and reconvened on January 21, 2021, to issue an oral ruling.

1 law of which are fully incorporated herein by reference pursuant to Rule 52 of the Federal Rules
2 of Civil Procedure and Rules 7052 and 9014 of the Federal Rules of Bankruptcy Procedure,

3 **IT IS HEREBY ORDERED** that the Motion is **GRANTED**.

4 **IT IS FURTHER ORDERED** that the circumstances of this case warrant granting relief
5 from the automatic stay for cause pursuant to 11 U.S.C. § 362(d)(1) for the limited purpose of
6 allowing the English Office Holders to liquidate their claims against Debtor in the English
7 Proceeding (as that term is defined in the Motion).

8 **IT IS FURTHER ORDERED** that absent further order of this Court, and pursuant to 11
9 U.S.C. § 362(d)(1), the automatic stay shall remain in effect as to any and all efforts to enforce or
10 collect any final order or judgment entered against Debtor in the English Proceeding.

11 **IT IS FURTHER ORDERED** that the English Office Holders are granted relief from
12 the fourteen (14) day stay under Federal Rules of Bankruptcy Procedure 4001(a)(3), such that
13 this Order shall be effective immediately upon its entry.

14 Copies sent via CM/ECF ELECTRONIC FILING

15 Copies sent via BNC to:

16 YAW JONG TSAI
17 840 S. RANCHO DR., UNIT 4806
18 LAS VEGAS, NV 89106

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Natalie M. Cox

Honorable Natalie M. Cox
United States Bankruptcy Judge



Entered on Docket
January 28, 2021

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

* * * * *

In re:
YAW JONG TSAI,
Debtor.

) Case No.: 20-14585-nmc
) Chapter 7
)
) Hearing Dates (Times):
) January 19, 2021 (1:30 p.m.) and
) January 21, 2021 (9:30 a.m.)
)

**ORDER GRANTING MOTION FOR RELIEF FROM THE AUTOMATIC STAY TO
PROCEED WITH FOREIGN LITIGATION AGAINST DEBTOR (ECF NO. 67)¹**

On January 19, 2021, the court held a hearing on the Motion for Relief from the Automatic Stay to Proceed with Foreign Litigation Against Debtor (ECF Nos. 67-68, 72) ("Motion"), filed by Nicholas Edward Reed together with Julie Anne Palmer, the joint liquidators of the estate of Changtel Solutions UK Limited, and Nicholas Edward Reed together with Paul Barber, the joint trustees of the bankruptcy estate of Ji-Chuen Jason Tsai (collectively, the "English Office Holders").² Appearances of counsel were noted on the record.

The Court having considered the Motion, the opposition (ECF Nos. 86, 87, 113) filed by Yaw Jong Tsai ("Debtor"), and the reply filed by the English Office Holders (ECF Nos. 86-87, 113); and for the reasons stated in the court's oral ruling, the findings of fact and conclusions of

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EXHIBIT 2

Case 2:21-cr-00472-GMN Document 1 Filed 02/23/21 Page 25 of 30
bel Matrix for local noticing

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gbies Traynor Group PLC

ct No CR-2020-003186

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nchester, United Kingdom

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Clark County Assessor
c/o Bankruptcy Clerk
500 S. Grand Central Pkwy. Box 551220
Las Vegas, NV 89155-1220Clark County Treasurer
500 South Grand Central Pkwy. 2nd Floor
Las Vegas, NV 89155-4502pt. of Employment Training and Rehab.
0 E. Third Street
rson City, NV 89713-0001Florence Yang
2785 Pacific Coast Hwy., Unit 175
Torrance, CA 90505-7066(p) INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346vada Dept. of Taxation
50 College Parkway, Ste. 115
rson City, NV 89706-7939State of Nevada Dept. of Motor Vehicles
Attn: Legal Division
Carson City, NV 89711-0725Walker Morris LLP
Acct No CR-2020-003186
33 Wellington Street
Leeds, United Kingdom
LS1 4DLWest Smith Trust
c/o Michael M. Lin, Esq.
5288 W. Spring Mountain Road, Ste. 103
Las Vegas, NV 89146-8727

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

ternal Revenue Service
ntralized Insolvency Operations
O. Box 21126
iladelphia, PA 19114-0326

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u) ENGLISH OFFICE HOLDERS

(u) JULIE ANNE PALMER

(u) NICHOLAS EDWARD REED

NVB 8001-1 (Rev. 5/16)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

IN RE:

YAW JONG TSAI

Debtor(s)

BK-20-14585-nmc
CHAPTER 7

YAW JONG TSAI

Appellant(s)

vs

Appeal Reference Number: 21-07

NICHOLAS EDWARD REED & JULIE ANNE PALMER
THE JOINT LIQUIDATORS OF THE ESTATE OF
CHANGTEL SOLUTIONS UK LIMITED; NICHOLAS
EDWARD REED & PAUL BARBER THE JOINT
TRUSTEES OF THE BANKRUPTCY ESTATE OF
JI-CHUEN JASON TSAI; RYAN A ANDERSEN,
TRUSTEE

APPEAL MEMORANDUM

Appellee(s)

To: All Parties in Appeal
From: U.S. Bankruptcy Court
300 Las Vegas Blvd., South
Las Vegas, NV 89101

The following item(s) are required for the above referenced appeal to proceed timely:

Designation of Record On Appeal must be filed at the Bankruptcy Clerk's Office 14 days after the filing of the Notice of Appeal. It must include the exact hearing dates of transcripts, exact titles and filing dates of all pleadings and exhibits. If any party includes a transcript, it must immediately be ordered by filing a Transcript Order Form with the Clerk's Office and make arrangements for payment with our Electronic Court Recorders.

The **Statement Of Issues** must also be filed at the Bankruptcy Clerk's Office 14 days after filing the Notice of Appeal. The Appellee is allowed 14 days after service of the Appellant Statement of Issues and Designation of Record to file an Additional/Supplemental Designation of Record.

IF THE ABOVE ARE NOT COMPLIED WITH, THE BANKRUPTCY CLERK WILL FILE A STATUS REPORT WITH THE BANKRUPTCY APPELLATE PANEL OR THE U.S. DISTRICT COURT INDICATING WHY THE BANKRUPTCY CLERK HAS BEEN UNABLE TO FORWARD THE RECORD ON A TIMELY BASIS.

Dated: 2/12/21

Mary A. Schott

Mary A. Schott
Clerk of Court

BAP DOCKET # 1-#

NVB 8005 (Rev. 5/16)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

IN RE:

YAW JONG TSAI

Debtor(s)

BK-20-14585-nmc
CHAPTER 7

Appeal Reference Number: 21-07

YAW JONG TSAI

Appellant(s)

AMENDED NOTICE OF REFERRAL
OF APPEAL TO
BANKRUPTCY APPELLATE PANEL

vs

NICHOLAS EDWARD REED & JULIE ANNE PALMER
THE JOINT LIQUIDATORS OF THE ESTATE OF
CHANGTEL SOLUTIONS UK LIMITED; NICHOLAS
EDWARD REED & PAUL BARBER THE JOINT
TRUSTEES OF THE BANKRUPTCY ESTATE OF
JI-CHUEN JASON TSAI; RYAN A ANDERSEN,
TRUSTEE

Appellee(s)

To: All Parties in Appeal
U.S. Trustee

NOTICE IS GIVEN that a Notice of Appeal has been filed by Charles E. Barnabi, Jr., Esq. for Yaw Jong Tsai with the Clerk of the Bankruptcy Court on 2/11/21.

The above appeal has been referred to the U.S. Bankruptcy Appellate Panel of the Ninth Circuit (BAP).

Dated: 2/12/21

Mary A Schott

Mary A. Schott
Clerk of Court

BAP DOCKET # 1-3

NVB 8005 (Rev. 5/16)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

IN RE:

YAW JONG TSAI

Debtor(s)

BK-20-14585-nmc
CHAPTER 7

Appeal Reference Number: 21-07

YAW JONG TSAI

Appellant(s)

NOTICE OF REFERRAL
OF APPEAL TO
BANKRUPTCY APPELLATE PANEL

vs

NICHOLAS EDWARD REED & JULIE ANNE PALMER
THE JOINT LIQUIDATORS OF THE ESTATE OF
CHANGTEL SOLUTIONS UK LIMITED; NICHOLAS
EDWARD REED & PAUL BARBER THE JOINT
TRUSTEES OF THE BANKRUPTCY ESTATE OF
JI-CHUEN JASON TSAI

Appellee(s)

To: All Parties in Appeal
U.S. Trustee

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Dated: 2/12/21

Mary A Schott

Mary A. Schott
Clerk of Court

Bap Docket # 1-2

NVB 8005 (Rev. 5/16)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

IN RE:

YAW JONG TSAI

Debtor(s)

BK-20-14585-nmc
CHAPTER 7

Appeal Reference Number: 21-07

YAW JONG TSAI

Appellant(s)

vs

NOTICE OF REFERRAL
OF APPEAL TO
BANKRUPTCY APPELLATE PANEL

NICHOLAS EDWARD REED & JULIE ANNE PALMER
THE JOINT LIQUIDATORS OF THE ESTATE OF
CHANGTEL SOLUTIONS UK LIMITED; NICHOLAS
EDWARD REED & PAUL BARBER THE JOINT
TRUSTEES OF THE BANKRUPTCY ESTATE OF
JI-CHUEN JASON TSAI

Appellee(s)

To: All Parties in Appeal
U.S. Trustee

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Dated: 2/12/21

Mary A. Schott

Mary A. Schott
Clerk of Court

BAP DOCKET # 1-1

NVB 8010-5 (Rev. 5/16)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

IN RE:

YAW JONG TSAI

Debtor(s)

BK-20-14585-nmc
CHAPTER 7

Appeal Reference Number: 21-07

YAW JONG TSAI

Appellant(s)

TRANSMITTAL FORM TO
BANKRUPTCY APPELLATE PANEL
OFFICE NUMBER 0978/2

vs

NICHOLAS EDWARD REED & JULIE ANNE PALMER
THE JOINT LIQUIDATORS OF THE ESTATE OF
CHANGTEL SOLUTIONS UK LIMITED; NICHOLAS
EDWARD REED & PAUL BARBER THE JOINT
TRUSTEES OF THE BANKRUPTCY ESTATE OF
JI-CHUEN JASON TSAI; RYAN A ANDERSEN,
TRUSTEE

Appellee(s)

To: Bankruptcy Appellate Panel
125 South Grand Avenue,
Pasadena, CA 91105

Appeals Filed in the Same Bankruptcy Case or in a Related ADV Case	none
Bankruptcy Judge	NATALIE M. COX
Date Notice of Appeal Filed	2/11/21
Date of Entry of Order Appealed	1/28/21
Date Bankruptcy Filed	9/16/20
Other	

Dated: 2/12/21

Mary A. Schott

Mary A. Schott
Clerk of Court